

Serial No. 09/855,002
Art Unit: 3753

REMARKS

The specification has been amended to comply with the Examiner's request in paragraph no. 1 of the Office Action.

Claim 23 has been amended to remedy an antecedent problem.

In paragraph no. 3 of the Action, the Examiner has rejected claims 18, 20 and 22 under 35 U.S.C. 102(b) as being anticipated by Hehl.

With respect to claims 18, 20, and 22, these claims contain the following limitations not disclosed by Hehl:

1. "A liquid distributor".

The Hehl patent is directed to a "Multi-Orifice Injection Nozzle for Injection Molding Machine" (see e.g. the title). Hence, Hehl does not disclose a liquid distributor as this term is understood in the art. In fact, Hehl is in a nonanalogous art and is not a reference that the inventors would have considered in making their invention.

2. "A tapering drainage pipe in the shape of a nozzle".

Component 2 of Hehl's multi-orifice injection nozzle is not a "drainage pipe" nor is it a drainage pipe in the shape of a nozzle. Component 2 is a "connector" (col. 2, line 29). Component 2 is connected to a number of additional components (see the figure), and is not a drainage pipe in the shape of a nozzle as required by these claims, nor are any of the other components of Hehl's injection molding machine.

In addition, with respect to claim 22, the drainage pipe extends upwards from the bottom of the liquid distributor and comprises an inlet opening above the bottom of the liquid distributor. Such a configuration at the bottom of a distributor is not shown by Hehl.

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In paragraph 4 of the Action the Examiner has rejected claims 23-29 under 35 U.S.C. 102(b) as being anticipated by Ohlswager et al.

The Examiner contends that plate 16 of the Ohlswager reference is readable on "dome". However, the term "dome" does not appear in claims 23-28, but only in claim 29.

Claim 23 requires the presence of a hood with at least one opening. The Ohlswager plates 16 of Figure 1 do not contain any openings. The plate means 16 of Figure 3 is a perforated tray, but this perforated tray does not cover an inlet opening of a drainage pipe against the direct inflow of liquid as required by claim 23.

With respect to claim 28, the hood is divided by an annular inner wall having at least one opening, such that the drainage pipe is situated within said annular inner wall. Ohlswager does not disclose this embodiment.

Concerning claim 29, Ohlswager does not disclose tapering drainage pipes, nor a preliminary distributor fitted into the main channel of a liquid distributor and wherein the base of the preliminary distributor extends over the drainage pipes.

Hence, it is respectfully contended that claims 23-29 are free from anticipation problems.

In paragraph 8 of the Action, claims 1-14, 16, 17, 19, 21 and 30 have been rejected as unpatentable over Plachy in view of Dear et al.

The Examiner first refers to tapered portion 11 of drainage pipes 13-16. However, 11 is an "outlet weir" (see col. 4, line 49), also referred to as "lower notch 11" (see col. 5, line 67). The definitions of "weir" are "a fence or enclosure set in a waterway for taking fish", and "a dam in a stream to raise the water level or divert its flow" (pages 1319 and 1320 of Webster's New Collegiate Dictionary).

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A weir is accordingly not a “drainage pipe having a cross-section, at the upper end of the drainage pipe, which tapers downward in the shape of a nozzle” (see claim 1). A weir is not a tapered section, and particularly not a notch in a drainage pipe, nor are the drainage pipes tapered downward.

Also, a weir is not a nozzle as required by claim 1 – see e.g. the above dictionary definitions of a weir.

Moreover, the inner wall of the nozzle is comprised of a material resistant to the adherence of solids. This is a limitation in the claim and defines the characteristics of the material comprising the inner wall of the nozzle. Plachy discloses no such material.

With respect to the Dear et al reference (there are two Dear et al references – it will be assumed for the sake of argument that the Examiner is referring to U.S. 5,209,259).

Component 16 of Dear relied on by the Examiner is a “seat ring” (col. 2, line 3) of unstated composition, designed “to receive the untapered end of a plug 18” (col. 2, lines 3 and 4). This disclosure is respectfully submitted to be unrelated to the composition of the inner wall of a nozzle. Combining this disclosure with Plachy, even using hindsight, still does not change the nature of the inner wall of Plachy’s drainpipes, nor does it relate to the inner wall of a nozzle.

Based on the above discussion, allowance of claims 1-14 and 16-30 is respectfully solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned “**Version with markings to show changes made.**”

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Henry E. Millson, Jr.

Henry E. Millson, Jr.
(Reg. No. 18,980)
Attorney for Applicant(s)
(928) 445-2453

Cognis Corporation, Patent Dept.
2500 Renaissance Blvd., Suite 200
Gulph Mills, PA 19406

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

The paragraph beginning on page 1, lines 1-6, has been amended as follows:

CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation of serial number 09/277,399, filed March 26, 1999, now abandoned, which is a continuation of serial number 08/674,698 filed July 9, 1996, now abandoned, which claims the benefit of earlier filed provisional application serial number 60/001,211 filed on July 18, 1995 [and application serial number 08/674,698 filed July 9, 1996], the entire contents of which are herein incorporated by reference.

In the claims:

Claim 23 has been amended as follows:

23. (amended) A liquid distributor comprising a hood[,] with at least one opening , said hood covering [said] an inlet opening of [the] a drainage pipe against the direct inflow of liquid.